

JAN 21 2021

By LM

OCTOPUS CLERK

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION

IN RE: JOHN FANO,

CHAPTER 13 BANKRUPTCY  
CASE NO.: 14-60728

DEBTOR

JOHN FANO,  
MOVANT

V.

KEMPER M. BEASLEY, III, PC  
DEFENDANT

**ANSWER**

Come now the Defendant, Kemper M. Beasley, III, pro se, and states his answers to the Motion for Contempt, Damages and Attorney Fees filed herein as follows;

1. Defendant neither admits nor denies the allegations in Paragraphs 1 through 8, as it is beyond the full scope of his knowledge and, therefore, denies the same and demands strict proof thereof.
2. Defendant understands, even though he has not verified, that the Deed of Trust lien has been released by JoAnne O'Brien filing a certificate of satisfaction in the Clerk's Office of the Circuit Court of Appomattox County, Virginia.
3. Defendant denies the allegation in Paragraph 10.
4. Defendant admits the allegation in Paragraph 11, that to the best of his knowledge JoAnne O'Brien filed a certificate of satisfaction in the Clerk's Office of the Circuit Court of Appomattox County, Virginia to release the deed of trust she had on property owned by the Debtor.
5. Defendant admits the allegation in Paragraph 12.

6. Defendant denies that Debtor should be awarded damages. The Defendant believes there is no evidence that, if violations of an automatic stay occurred, "that the violation was committed willfully" and "that the violation caused actual damages." *Skillforce, In., v. Hafer*. 509 B.R. 523, 529 (Bankr. E.D. Va. 2014) and demands strict proof whereof.

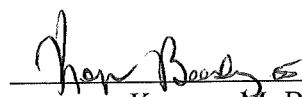
WHEREAS, the Defendant moves for this matter against the Defendant to be dismissed as there is no evidence that he willfully committed a violation of this Court nor is there any evidence of actual damages against the Debtor.

KEMPER M. BEASLEY, III,

By  \_\_\_\_\_

CERTIFICATE OF SERVICE

I, Kemper M. Beasley, III, hereby certify that a copy of the foregoing Answer was mailed to Reginal R. Yancey, Counsel for Debtor, P.O. Box 11908, Lynchburg, Virginia 24506, Herbert L. Beskin, Trustee, at P.O. Box 2103, Charlottesville, Virginia 22902 and to Margaret Valois, James River Legal, Counsel for JoAnne O'Brien, at 7601 Timberlake Road, Lynchburg, Virginia 24502 on the 19<sup>st</sup> day of January, 2021.

  
\_\_\_\_\_  
Kemper M. Beasley, III

**KEMPER M. BEASLEY, III, PC**

**Attorney at Law**

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January 19, 2021

United States Bankruptcy Court  
Lynchburg Division  
1101 Court Street  
Room 166  
Lynchburg, VA 24504

**Re: John Fano  
Chapter 13 Bankruptcy  
Case Number: 14-60728**

Dear Clerk:

Enclosed is my Answer to the Motion for Contempt, Damages and Attorney Fees. I am not represented by counsel but instead I am acting pro se. Thank you for your assistance.

Sincerely



Kemper M. Beasley, III

CC: Reginal R. Yancey  
P.O. Box 11908  
Lynchburg, Virginia 24506

Margaret Valois  
James River Legal  
7601 Timberlake Road  
Lynchburg, Virginia 24502

Herbert L. Beskin, Trustee  
P.O. Box 2103  
Charlottesville, VA 22902